

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

**F057485      People v. Cartwright**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

**F056864      Rios et al. v. Holland**

The judgment is affirmed. Ardaiz, P.J.

We concur: Levy, J.; Hill, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F057118      People v. Wandick**

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

**F057118      People v. Wandick**

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F057173      People v. Carrillo**

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F057608      W.T. v. K.M**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

**F055817      DeSantis, et al. v. Bilello & Costa Trading, Inc. et al.**

Respondent's petition for rehearing filed herein is denied.

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**F056514      People v. Swain**

The judgment is reversed and remanded with directions to the trial court to hold proceedings and to resolve the issue of whether the People can prove a factually based justification for treating SVP's differently than MDO's and NGI's. Wiseman, Acting P.J.

We concur: Dawson, J.; Kane, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F056634      People v. Ruiz**

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the case is submitted for decision.

**F056506      Galbiso v. Orosi Public Utility District**

The judgment is affirmed. Costs on appeal are awarded to OPUD. Kane, J.

We concur: Wiseman, Acting P.J.; Dawson, J.

[CERTIFIED FOR PUBLICATION]

**F057619      In re M.M., a Minor**

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the case is submitted for decision.

**F057180      People v. Smith**

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the case is submitted for decision.

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**F057891      In re M.G., a Minor**

The judgment is affirmed with modifications.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F057357      City of Patterson v. Stanislaus County et al.; PCCP West Park, LLC et al.**

The appeal is dismissed. The parties should bear their own costs.  
The request for judicial notice filed on September 25, 2009, is denied.  
Wiseman, Acting P.J.

I concur: Dawson, J.;

I concur: Kane, J. in the judgment only.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F056602      People v. Soto**

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the case is submitted for decision.

IN THE  
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IN AND FOR THE  
Fifth Appellate District

**F059067      M.L. v. The Superior Court Of Tulare County; Tulare County Health And Human Services Agency**

The petition for extraordinary writ is dismissed. This opinion is final forthwith as to this court.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F058632      People v. Rios**

No brief having been filed by appellant after notice duly given under rule 8.220(a)(1) of the California Rules of Court, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

**F058616      Davis v. Murberger**

IT IS HEREBY ORDERED that the matter in the above-entitled action is remanded to the superior court with directions to file the complaint. This order is not intended to limit the defendant's ability to act under CCP section 391.1.